

REMARKS

Claims 32-51 remain in the application.

The objected-to claims are amended as suggested to overcome the objections.

The double patenting rejection will be addressed as appropriate after the substantive rejections have been overcome.

Claims 32-51 were rejected under §102(e) as anticipated by Chapman.

Chapman discloses in one embodiment a flashlight with a dimming function controlled by rotating a recessed tail end knob, and a power supply (on-off) function controlled by twisting the front housing section.

The rejection of claim 32 is in error because the action fails to identify a ring that provides the function of establishing a degree of delivered power (i.e. "the second input device"). The element (16) cited as a ring does not provide a dimming function, but operates an on-off switch 60. The citation of a dimming function refers to a paragraph [87] and not to any particular element. That paragraph discloses only the capability of dimming, without indicating the means for dimming. Paragraph 91 discloses an end knob (382) that is connected to a variable resistor for dimming, but this is not a ring as claimed. This is the only apparent disclosed means for providing the dimming function disclosed in paragraph 87. In the absence of an element in the cited references that has both of the claimed characteristics of the "second input device," claim 32 and its dependents should be allowable.

Therefore, claim 32 and its dependents should be allowable.

Claim 40 and its dependents should be allowable because the Action does not point out where the cited reference discloses all the claimed features in a single embodiment. The switch 350 cited as the "first input device" is a push-button switch illustrated only in Figure 33, and not in the other two figures cited. This embodiment appears to lack a second input device establishing a degree of delivered power. The reference to paragraph 87 and its mention of a dimmer does not disclose the claimed elements and functionality, and does not enable the reader to understand whether or how the dimming is provided in the embodiment with the cited element 350.

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The rejection of claim 48 is in error in that the action fails to point out where the cited reference discloses a controller having the claimed function of sustained illumination in response to the claimed operations. The cited paragraphs do not appear to disclose this particular function. Paragraph 88 and the referenced Figure 33 appear to show a mechanical shoulder engagement between the button and the housing to provide sustaining illumination. This does not disclose a controller providing sustained illumination in response to cessation of force, because the mechanical shoulder provides that the force on the internal spring is maintained, not ceased, in order to sustain illumination.

Secondly, the referenced paragraph 88, Figure 33 embodiment provides no enabling disclosure of the claimed dimming function.

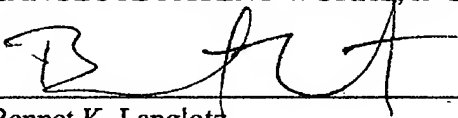
Thirdly, the cited reference does not provide sustained illumination in response to application and cessation of force in a first direction. Sustained illumination in the preferred embodiment requires application of force in the axial direction, then in a lateral direction ("slightly to one side"). Accordingly, the cited reference does not disclose all the features as claimed.

Therefore, claim 48 and its dependents should be allowable.

Accordingly, all claims as pending should be allowable.

Reconsideration of the application is respectfully requested.

Respectfully submitted,
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